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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/353,537	07/14/1999	STEPHEN Y.F. PANG	19009-000420	3726

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EXAMINER

HO, CHUONG T

ART UNIT

PAPER NUMBER

2153

DATE MAILED: 05/08/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/353,537

Applicant(s)

Stephen Y. F. Pang

Examiner

Ho

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE three MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on _____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- a) ☐ All b) ☐ Some* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

*See the attached detailed Office action for a list of the certified copies not received.

- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

- 15) ☒ Notice of References Cited (PTO-892) 18) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 16) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948) 19) ☐ Notice of Informal Patent Application (PTO-152)
- 17) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____ 20) ☐ Other:

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DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over McCormick et al. (U.S. Patent No. 6,023,723) in view of "If unwanted e-mail is in the eye of the beholder then I want a spam button" (03 August 1998).

In the claim 1, McCormick et al. discloses a system for policying an unsolicited e-mail (filter junk e-mails)(see figure 3) comprising:

- ◆ a plurality of clients (17, 19), each coupled together using a wide area network (Internet and/or intranet 11) of computer comprising an Internet; a policy server (central e-mail system 21) coupled to each of the plurality of clients (17, 19) through the wide area network (Internet and/or intranet 11) of computers;
- ◆ the policy server being adapted to receive the indication (updated filter addresses) from the client to the policying server (see col.6, lines 33-38, col. 7, lines 45-48).

McCormick, however, does not disclose an icon on the display, the icon being adapted to send the indication from the client.

"If unwanted e-mail is in the eye of the beholder then I want a spam button"

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(03 August 1998) discloses When I get what my eye beholds as spam -- single or bulk, solicited or run, commercial or non -- I want to **push my spam button** once to get that spam filed for future prosecutions, to get my **mail server blocking e-mail from that sender**, and to get a message sent according to a spam protocol demanding that the sender cease and desist.

Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the McCormick's system with the teaching of "If unwanted e-mail is in the eye of the beholder then I want a spam button" to provide an option icon on the display in order to help the client to speed up removing the Junk mail (SPAM). Therefore, the modified system would have been enable the policy server being adapted updated e-mail filter in response to each client notification.

3. In the claim 2, McCormick et al. discloses the policy server (figure 1, central location 46) is adapted to report the unauthorized e-mail message (unwanted e-mail message) (see col. 3, lines 55-56).

4. In the claim 3, McCormick et al. discloses the policy server is adapted to updated a local e-mail filter for the client (25) in response to the unsolicited e-mail (see col. 4, lines 49-56).

5. In the claim 4, McCormick et al. discloses each of clients (17, 19) comprises an updated e-mail filter from the policy server (central location 21) (see figure 3, col.4, lines 48-56).

6. In the claim 5, McCormick et al. discloses the policy server comprises a log of the unsolicited e-mail (see figure 3, col.4, lines 48-56).

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7. In the claim 6, McCormick et al. discloses the unsolicited e-mail message is SPAM (see figure 2, col.4, lines 8-14).

8. In the claim 7, McCormick et al. discloses the display comprises a browser program, the browser program being coupled to the e-mail device (see figure 3, web browser or e-mail access application).

9. In the claim 8, McCormick et al. discloses each of the plurality of clients (17, 19) is for a different user, where each user is capable to sending the unsolicited e-mail message to the policy server (central location 21) (see col. 4, lines 49-56).

10. In the claim 9, McCormick et al. discloses the policy server (centralized server 21) comprises a plurality of SPAM filters (see figure 3, col.4, lines 49-56).

11. In the claim 10, McCormick et al. discloses each of clients (17, 19) is coupled to the wide area network (Internet 11) of computers through an Internet service provider (see figure 3).


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Conclusion

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chuong Ho whose telephone number is (703)306-4529. The examiner can normally be reached on Monday-Friday from 9am to 3pm.
13. Any inquiry of a general nature or relating to the status of this application or proceeding should be direct to the group receptionist whose telephone number is (703) 305-3900.

CH

Date 04-05-02


Dung C. Dinh
Primary Examiner